

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

March 24, 1999

DIVISION ONE

Court convened at 9:00 A.M.

Present: Spencer, P.J., Ortega, J., Vogel (Miriam A.), J., and C. Hon, Deputy Clerk.

B117579 Epps
 v.
 Fuller

Merits:

Argued by John D. Mickus for respondent and by no appearance for appellant. Cause submitted.

B122258 Jeter
 v.
 Brannan

Merits:

Argued by David C. Voss, Jr. for appellant and by no appearance for respondent. Cause submitted.

B124715 Morgan et al.
 v.
 Friedman et al.

Merits:

Argued by John R. Contos for respondents and by Barry Fischer for appellant. Cause submitted.

DIVISION ONE (Continued)

B122231 In re Marriage of Kim
 Steve Yun Kim
 v.
 Jung Sil Kim

Merits:

Argued by Thomas Paine Dunlap for respondent and by Karen M. Johnson for appellant. Cause submitted.

B117246 Bell
 v.
 Jewish Free Loan Association et al.

Merits:

Argued by David S. Sperber for appellant and by Michael S. Turner for respondents. Cause submitted.

B119294 Matticx
 v.
 Gibbon

Merits:

Argued by Peter J. King for appellant and by Roxanna Huddleston for respondent. Cause submitted.

B120526 Land
 v.
 Julber

Appearances:

Sidney Franklin for appellant and by Jerry T. Korengold for respondent. Argument waived, cause submitted.

DIVISION ONE (Continued)

B120451 Warner Park Associates, LLC
v.
Spectrum Securities, Inc.

Merits:
Argued by Thomas Casparian for respondent and by Bruce T. McIntosh for appellant. Cause submitted.

B121201 Pederson
v.
National Broadcasting Company, Inc.

Merits:
Argued by Dennis A. Winston for appellant (Pederson) and by Andrea Hartman for appellant (NBC). Cause submitted.

B122710 Hermann
v.
Soligen Technologies, Inc. et al.

Merits:
Argued by Steven P. Rice for appellants and by Brian P. Simon for respondent. Cause submitted.

Court adjourned.

DIVISION TWO

B122597 People (Not for Publication)
v.
Burroughs

The Court:

The judgment is reversed.

Boren, P.J., Zebrowski, J., Mallano, J. (Assigned)

DIVISION FOUR

B125195 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Ann G.

The order is reversed.

Epstein, J.

We concur: Vogel (C.S.), P.J.
 Curry, J.

B112227 Penuela (Not for Publication)
 v.
 City of Glendale

That portion of the order denying relief pursuant to section 473 is affirmed. The portion of the order granting sanctions is reversed. The request by respondents for sanctions on appeal is denied. Each side is to bear its own costs.

Hastings, J.

We concur: Vogel (C.S.), P.J.
 Epstein, J.

B115428 Miyazaki (Not for Publication)
 v.
 Yasukochi

The order granting summary judgment in favor of Norene is affirmed. The order granting summary judgment in favor of YDN and VHR is reversed. The parties shall bear their own costs on appeal.

Hastings, J.

We concur: Epstein, Acting P.J.
 Curry, J.

DIVISION FOUR (Continued)

B117972 Connecticut General
Life Insurance Co. (Not for Publication)
v.
Hooker

The judgment is reversed. There being no other appearances on appeal, appellant is to bear her own costs on appeal.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

[illegible]

The order of dismissal is affirmed. Respondent is to recover his costs on appeal.

Epstein, Acting P.J.

We concur: Hastings, J.
Curry, J.

B116352 Bardin
v.
Lockheed Aeronautical Systems

Filed order denying petition for rehearing.

B121513 People
v.
Pagnetti

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

March 24, 1999-Continued

DIVISION FOUR (Continued)

B127254 People (Not for Publication)
v.
Cummings

The judgment is affirmed.

Hastings, J.

We concur: Epstein, Acting P.J.
Curry, J.

B123482 People (Not for Publication)
v.
Peterson

The Court:

For the foregoing reasons, we deem appellant's appeal to be a petition for extraordinary relief and deny the petition for failure to demonstrate entitlement to relief.

Epstein, Acting P.J., Hastings, J., Curry, J.

B122014 People (Not for Publication)
v.
Garrett

The judgment is affirmed.

Curry, J.

We concur: Epstein, Acting P.J.
Hastings, J.

March 24, 1999-Continued

DIVISION FIVE

B125677 People (Not for Publication)
v.
Kristie O.

The judgment is affirmed.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

B117811 Kristin Simon (Not for Publication)
v.
Alpha Beta Company

The judgment is affirmed. Simon is to pay Market's costs on appeal.

Grignon, J.

We concur: Turner, P.J.
Godoy Perez, J.

B118743 People (Not for Publication)
v.
Michael Guzman et al.

As to both defendants, the three-year enhancements imposed pursuant to Penal Code section 186.22, subdivision (b) on counts 2, 3, 4, and 5 are vacated. As to those counts, the clerk of the superior court is ordered to amend the abstract of judgment to reflect a minimum parole term of 15 calendar years pursuant to Penal Code section 186.22, subdivision (b) (4), which is stayed pending completion of the sentences of life without possibility of parole, and send the amended abstract of judgment to the Department of Corrections. As modified, the judgments are affirmed.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

March 24, 1999-Continued

DIVISION FIVE (Continued)

B123978 People (Not for Publication)
v.
Kentin S.

The judgment is affirmed.

Godoy Perez, J.

We concur: Grignon, Acting P.J.
Armstrong, J.

B122562 Baraban Securities Inc. (Not for Publication)
v.
Richard Larsen

For the reasons set forth above, the judgment entered upon the confirmed arbitration is reversed. The matter is remanded to the trial court to consider Baraban's claim of illegality. Larsen's cross-appeal is dismissed. Appellant Baraban to recover its costs on appeal.

Godoy Perez, J.

We concur: Grignon, Acting P.J.
Armstrong, J.

B115960 People (Not for Publication)
v.
Louis Peterson

The judgment is affirmed.

Godoy Perez, J.

We concur: Turner, P.J.
 Grignon, J.

DIVISION FIVE (Continued)

B122932 Paul Siegel (Not for Publication)
v.
Darrell R. Griffin

The judgment and sanctions orders are affirmed. Respondent to recover his costs on appeal.

Godoy Perez, J.

We concur: Turner, P.J.
 Grignon, J.

DIVISION SEVEN

B124491 Castillo (Not for Publication)
v.
Workers Compensation Appeals Board

The opinion and decision of the Board after reconsideration is annulled and the cause is remanded to the Board to issue findings and make an award in favor of Castillo and against respondents consistent with the views expressed herein.

Lillie, P.J.

We concur: Woods, J.
Neal, J.

[illegible]

The judgment is affirmed. Respondent is entitled to costs on appeal.

Lillie, P.J.

We concur: Woods, J.
Neal, J.

DIVISION SEVEN (Continued)

B117797 RTC Mortgage Trust 1994-S2 (Not for Publication)
 v.
 Shlens

That part of the judgment determining the amount of the debt is affirmed; that part of the judgment determining the fair value of the property and the amount of the deficiency is reversed, and on remand the trial court is directed to conduct a new hearing on the issue of fair market value and to redetermine the fair value of the property and the amount of the deficiency consistent with the views expressed herein. RTC Mortgage Trust is entitled to costs on appeal.

Lillie, P.J.

We concur: Woods, J.
 Neal, J.

B120185 Angulo (Not for Publication)
 v.
 Truck Insurance Exchange

The judgment is affirmed. Respondent is entitled to costs on appeal.

Lillie, P.J.

We concur: Johnson, J.
 Woods, J.

B123520 People (Not for Publication)
 v.
 Smith

The judgment is affirmed.

Lillie, P.J.

We concur: Johnson, J.
 Woods, J.

March 24, 1999-Continued

DIVISION SEVEN (Continued)

B122906 People v. Brooks (Not for Publication)

The judgment is affirmed.

Lillie, P.J.

We concur: Johnson, J.
 Woods, J.

[illegible]

The judgment is reversed.

Johnson, Acting P.J.

We concur: Woods, J.
Neal, J.